

Message Text

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INFO AMEMBASSY BONN

C O N F I D E N T I A L STATE 213043

E.O. 11652: GDS

TAGS:PGOV, BQG

SUBJECT: CONTINGENCY PLAN FOR REPLY TO SOVIET/EAST
EUROPEAN PROTESTS ON BERLIN

REF: (A) STATE 212739;(B) BONN 15041

1. FOLLOWING IS TEXT OF SUGGESTED ALLIED REPLIES TO THE
VARIOUS KINDS OF OBJECTIONS WHICH ARE MOST OFTEN MADE BY
SOVIET/EAST EUROPEAN DELEGATIONS AT INTERNATIONAL MEETINGS.
TEXT HAS APPROVAL OF U.S., U.K. AND FRENCH GOVERNMENTS AS
WELL AS THAT OF FEDERAL REPUBLIC OF GERMANY. EMBASSY
AUTHORIZED TO DRAW ON IT AS NEEDED TO PROVIDE GUIDANCE
TO DR. PETER BUEHNING, HEAD OF U.S. DELEGATION TO INTER-
NATIONAL HANDBALL FEDERATION MEETING. BONN GROUP ENVISIONED
THAT U.S., U.K. AND FRENCH DELEGATIONS, IN COORDINATION
WITH THE FEDERAL REPUBLIC DELEGATION, WOULD WORK OUT
APPROPRIATE REPLY FROM ELEMENTS CONTAINED BELOW, WITH AN
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ALLIED SPOKESMAN FROM AMONG THE THREE TO SPEAK ON BEHALF
OF THE THREE. THE FRG DELEGATION COULD THEN ISSUE A BRIEF
FOLLOW-UP STATEMENT.

2. BEGIN TEXT:

A. SOVIET/EAST EUROPEAN STATEMENT CONTESTING THE LEGALITY
OF THE LOCATION IN THE WESTERN SECTORS OF BERLIN OF AN

FRG AGENCY/OFFICE.

-- THE ESTABLISHMENT OF THE (NAME OF FRG AGENCY OR OFFICE) IN THE WESTERN SECTORS OF BERLIN WAS APPROVED BY THE BRITISH, FRENCH AND AMERICAN AUTHORITIES ACTING ON THE BASIS OF THEIR SUPREME AUTHORITY. THESE AUTHORITIES ARE SATISFIED THAT THE (NAME OF FRG AGENCY OR OFFICE) DOES NOT PERFORM IN THE WESTERN SECTORS OF BERLIN ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WESTERN SECTORS OF BERLIN. NEITHER THE LOCATION NOR THE ACTIVITIES OF THAT AGENCY/OFFICE IN WESTERN SECTORS OF BERLIN, THEREFORE, CONTRAVENE ANY OF THE PROVISIONS OF THE QUADRIpartite AGREEMENT. (FOR USE IF NECESSARY, FOLLOWING A SOVIET STATEMENT THAT THE WESTERN SECTORS OF BERLIN SHALL NOT BE GOVERNED BY THE FEDERAL REPUBLIC OF GERMANY:) THE STATEMENT BY THE SOVIET DELEGATE CONTAINS AN INCOMPLETE AND CONSEQUENTLY MISLEADING REFERENCE TO THE QUADRIpartite AGREEMENT. THE RELEVANT PASSAGE OF THAT AGREEMENT TO WHICH THE SOVIET REPRESENTATIVE REFERRED PROVIDES THAT THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FEDERAL REPUBLIC OF GERMANY WILL BE MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT.

B. STATEMENTS EVOKING QUADRIpartite AGREEMENT BY NON-CONFIDENTIAL

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SOVIET EAST EUROPEAN STATES

-- REGARDING OTHER COMMUNICATIONS ON THIS SUBJECT, I WOULD LIKE TO STATE THAT STATES WHICH ARE NOT PARTIES TO THE QUADRIpartite AGREEMENT ARE NOT COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

C. REFERENCE TO "THE QUADRIpartite AGREEMENT ON WEST BERLIN"

-- THE DELEGATE OF . . . HAS REFERRED INCORRECTLY TO THE QUADRIpartite AGREEMENT OF 3 SEPTEMBER 1971 AS THE QUADRIpartite AGREEMENT ON WEST BERLIN." I WISH TO POINT OUT THAT THE CORRECT TITLE OF THIS AGREEMENT SIGNED AT BERLIN ON 3 SEPTEMBER 1971 IS THE QUADRIpartite AGREEMENT. AS HAS BEEN STATED SEVERAL TIMES BY THE THREE POWERS, THIS AGREEMENT APPLIES TO THE WHOLE OF BERLIN.

D. STATEMENT THAT THE INCLUSION OF A RESIDENT OF THE WESTERN SECTORS OF BERLIN IN THE FRG DELEGATION IS CONTRARY TO THE QUADRIpartite AGREEMENT AND ILLEGAL BECAUSE THE FRG AGENCY OR OFFICE IS ILLEGALLY SITUATED IN THE WESTERN SECTORS OF BERLIN

-- (BEGIN WITH TEXT IN PARAGRAPH A ABOVE.) FURTHERMORE,

THERE IS NOTHING IN THE QUADRIpartite AGREEMENT WHICH SUPPORTS THE CONTENTION THAT RESIDENTS OF THE WESTERN SECTORS OF BERLIN MAY NOT BE INCLUDED IN FRG DELEGATIONS TO INTERNATIONAL CONFERENCES; IN FACT ANNEX IV OF THE QUADRIpartite AGREEMENT STIPULATES THAT, PROVIDED MATTERS OF SECURITY AND STATUS ARE NOT AFFECTED, THE FEDERAL REPUBLIC OF GERMANY MAY REPRESENT THE INTERESTS OF THE WESTERN SECTORS OF BERLIN IN INTERNATIONAL CONFERENCES AND THAT WSB RESIDENTS MAY PARTICIPATE JOINTLY WITH PARTICIPANTS FROM THE FEDERAL REPUBLIC OF GERMANY IN INTERNATIONAL EXCHANGES. FURTHERMORE, AS A MATTER OF PRINCIPLE, IT IS FOR THE FEDERAL REPUBLIC OF GERMANY ALONE TO DECIDE ON THE COMPOSITION OF ITS DELEGATIONS.

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E. REQUEST THAT WSB PARTICIPANTS BE LISTED SEPARATELY FROM MEMBERS OF THE FRG DELEGATION AND/OR THAT THE INDICATION "IN ACCORDANCE WITH THE QUADRIpartite AGREEMENT" IS REQUIRED.

-- ANNEX IV OF THE QUADRIpartite AGREEMENT STATES THAT, PROVIDED MATTERS OF SECURITY AND STATUS ARE NOT AFFECTED, PERMANENT RESIDENTS OF THE WESTERN SECTORS OF BERLIN MAY PARTICIPATE JOINTLY WITH PARTICIPANTS FROM THE FEDERAL REPUBLIC OF GERMANY IN INTERNATIONAL EXCHANGES AND EXHIBITIONS. THERE IS THEREFORE NO REASON WHY SUCH MEMBERS OF THE FEDERAL REPUBLIC OF GERMANY DELEGATION SHOULD BE LISTED SEPARATELY OR DIFFERENTLY. IT IS MOREOVER FOR THE FEDERAL REPUBLIC OF GERMANY ALONE TO DECIDE ON THE LISTING OF ITS DELEGATION.

F. COMMUNICATION ASSERTING THAT SINCE MATTERS OF SECURITY AND STATUS ARE BEING DEALT WITH BY THE CONFERENCE, FEDERAL REPUBLIC OF GERMANY MAY NOT, UNDER THE TERMS OF THE QUADRIpartite AGREEMENT, REPRESENT THE INTERESTS OF THE WESTERN SECTORS OF BERLIN.

-- AS NOTED IN THE QUADRIpartite AGREEMENT, THE THREE POWERS CONTINUE TO MAINTAIN THEIR RIGHTS AND RESPONSIBILITIES RELATING TO THE REPRESENTATION ABROAD OF THE INTERESTS OF THE WESTERN SECTORS OF BERLIN. SUBJECT TO THEIR RIGHTS AND RESPONSIBILITIES THE THREE POWERS LONG AGO AUTHORIZED THE FEDERAL REPUBLIC OF GERMANY TO REPRESENT THE INTERESTS OF THE WESTERN SECTORS OF BERLIN IN INTERNATIONAL ORGANIZATIONS AND CONFERENCES. WITH RESPECT TO FEDERAL REPUBLIC OF GERMANY REPRESENTATION OF WESTERN SECTORS OF BERLIN INTERESTS AT THE PRESENT MEETING, THE THREE POWERS IN THE EXERCISE OF THEIR SUPREME AUTHORITY OVER THE WESTERN SECTORS OF BERLIN ARE SATISFIED THAT

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MATTERS OF SECURITY AND STATUS ARE NOT THEREBY AFFECTED.
THE REPRESENTATION BY THE FEDERAL REPUBLIC OF GERMANY OF
THE INTERESTS OF THE WESTERN SECTORS OF BERLIN AT THE
PRESENT MEETING IS THUS IN COMPLETE CONFORMITY WITH THE
QUADRIpartite AGREEMENT.

G. REQUEST THAT THE AGENCY/OFFICE SHOULD NOT BE MENTIONED
IN DOCUMENTS

-- (BEGIN WITH TEXT IN PARAGRAPH A (PART 1) ABOVE.) IN
THESE CIRCUMSTANCES THERE CAN BE NO REASON TO EXCLUDE
MENTION OF THE AGENCY/OFFICE FROM OFFICIAL DOCUMENTS OF
BLANK.

H. REQUEST THAT, BECAUSE OF THE "ILLEGAL" LOCATION OF
THE AGENCY/OFFICE IN BERLIN, DOCUMENTS ORIGINATING
IN THAT AGENCY/OFFICE SHOULD NOT BE CIRCULATED.

-- (BEGIN WITH TEXT IN PARAGRAPH A (PART 1) ABOVE.)
IN THESE CIRCUMSTANCES, THERE IS NO REASON WHY DOCUMENTS
PREPARED BY THE AGENCY/OFFICE SHOULD NOT BE CIRCULATED
WITHIN BLANK. END TEXT. CHRISTOPHER

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